

CITY OF SOUTH JORDAN  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
June 27, 2017

Present: Commissioner Mark Woolley, Commissioner T. Earl Jolley, Commissioner Sean D. Morrissey, Commissioner Julie Holbrook, Commissioner John Ellis, City Planner Greg Schindler, Planner David Mann, Planner Jake Warner, Assistant City Engineer Shane Greenwood, Assistant City Attorney Steven Schaefermeyer, City Recorder Anna West

Absent: Commissioner Brady Quinn

Others: See Attachment A

6:30 P.M.  
REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Woolley opened the meeting and welcomed everyone present.

B. Motion to Approve Agenda

**Commissioner Morrissey motioned to approve the June 27, 2017 Planning Commission Agenda. Commissioner Holbrook seconded the motion. Vote was 5-0 in favor. Commissioner Quinn was absent.**

C. Approval of the Minutes from the Meeting held on June 13, 2017

**Commissioner Holbrook motioned to approve the June 13, 2017 Planning Commission Meeting Minutes. Commissioner Ellis seconded the motion. Vote was unanimous 5-0 in favor. Commissioner Quinn was absent.**

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

None

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

Chairman Woolley opened for Citizen Comment. No speakers. He closed the Citizen Comment period.

#### **IV. SUMMARY ACTION**

None

#### **V. ACTION**

None

#### **VI. PUBLIC HEARINGS AND POTENTIAL \*\*ADMINISTRATIVE ACTION ITEMS**

**\*\*Administrative Action = Less Discretion, Substantial Evidence (Objective Standard)**

**A.1 Issue: GABLES AT STERLING VILLAGE  
CONDITIONAL USE PERMIT AMENDMENT**  
**Address:** 11004 South Birch Creek Road  
**File No:** PLSPR201700322  
**Applicant:** Jason Sucher, Advantage Management and Real Estate Services, LLC

City Planner Greg Schindler reviewed the background information on this item from the Planning Staff Report. This project is located in the Sterling Village Development area and it includes the original Sterling Village apartments, the Pinnacle of Sterling Village Apartments, The Villas at Sterling Village and tonight's proposal, the Gables at Sterling Village. The proposal is to amend the original Conditional Use Permit and PUD approval by approving the installation of some fencing and gates. Staff is recommending approval of this project. All of the roads within the development are private so they will just be gating between private streets.

**Jason Sucher, Advantage Management** (Applicant) – I am the professional manager for this community. Just to clarify we do have fencing around the entire community already. We would have two vehicle gates and two man gates. Everywhere that we have proposed to put fencing is on our property. We have had some security issues there, that is what started this, and that we needed to take some action.

Chairman Woolley opened the Public Hearing to comments. No speakers. He closed the Public Hearing.

##### **A.2 Potential Action Item – (See VI.A.1)**

**Commissioner Holbrook made a motion to approve application PLSPR201700322 to allow Applicant to install various gates and a six-foot-fence along the Gables at Sterling Village's entire Cadbury Drive Street frontage with the condition that the proposed gates provide means (other than crash gates) for emergency services to enter the project if necessary. Commissioner Ellis seconded the motion. Roll Call Vote was 5-0 in favor. Commissioner Quinn was absent.**

#### **VII. PUBLIC HEARINGS AND POTENTIAL \*\*LEGISLATIVE ACTION ITEMS**

**\*\*Legislative Action = More Discretion, Reasonably Debatable (Subjective Standard)**

**B.1 Issue: SOUTH JORDAN SENIOR CENTER / APARTMENTS REZONE**  
**Address:** Approx. 10700 South Redwood Road  
**File No:** PLZBA201600861  
**Applicant:** South Jordan City Redevelopment Agency

Planner David Mann reviewed the background information on this item from the Planning Staff Report.

This property is south of the Library and is owned by the city. These two acres are currently in the MU Community Zone and what is being proposed is our newer overlay zone for planned developments that allows for some flexibility as far as uses and architecture. This was brought forth by the South Jordan Redevelopment Agency. The proposal is for a senior center on the first level with senior apartments above. Our RDA Director, Brian Preece, is here and has been working on moving this project along. Included in the staff report are a couple aspects of this floating zone. This zone is used to allow for flexibility in the application of zoning regulations and development provisions of this title to advance a public interest through descriptive requirements of the development agreement approved by the City Council. Staff is recommending approval of this project; we feel it does meet the intent of this floating zone.

Chairman Woolley opened the Public Hearing to comments.

**Kalmar Robbins**, I am your neighbor to the north of this project. The one thing that I would like to address is that this one makes sense to me because you own the property. The thing I do not understand is that when the Public Safety Building was proposed, that the entrance to that, the city does not own any of the ground in front of that development; the Library owns it. You may have some cross easements and agreements that are not disclosed or were not in place why that was not a consideration, because that is going to be the place people are going to park in front of that building. For the two years that you will be building there, I hope you will allow us as owners to be able to restrict some parking for our tenants and for the people that are coming to our businesses. I would like to have more disclosure on how that is going to work.

Chairman Woolley asked Mr. Robbins what building he owns to the north of the property.

Mr. Robbins said I own the blue parcel that shows on the map. Something is just not right or understood properly with the parking in regards to the Public Safety Building.

Chairman Woolley asked staff if there were agreements in place with regards to the parking.

Assistant City Attorney Steven Schaefermeyer said it was disclosed in our staff report that the County owned the property. We also delayed the hearing because we did not have the affidavit from the County. The property exchange will be both on the City Council Agenda and on the County Council Agenda. The Interlocal agreement I have right here. Nothing has been done in secret and it has been part of this process all along.

Chairman Woolley said I would like to make note of that tonight that you have spoken to that and instruct staff to make certain to keep you appraised and to work with you during the construction.

**Heather Heffner**, I live two houses off Redwood directly across from where you are doing this. The fire station is my backyard. My neighbors and I have massive concerns with this. Our first concern is the parking lot that will be directly across from our homes. Building a senior living community is not typically part of a downtown area. Typically, there are businesses and retail shops. I have no idea why we would need another senior community within this block radius. My mother-in law lives in the four story Legacy apartments. It is my understanding that South Jordan wanted to reserve Redwood Road as our commercial district, not as a housing district. I am concerned with the parking lot and the access road that you are proposing to Redwood Road, would directly drive into my neighborhood. How do you propose to contain the traffic if people are turning into and out of that area? There is a serious issue there already. She voiced her concern about putting in another street light. She also is concerned with light pollution, noise and traffic congestion. She does not feel this is the best place for this facility in the city. She asked

what the cost is going to be to the residents of South Jordan to maintain this new high-end senior facility. She said she does not feel it is an effective use of two acres of land to put in apartments that are for only seniors. She voiced her concerns with South Jordan City owning the apartments.

Chairman Wooley said when we are done with the Public Hearing we will have the city representative answer your questions.

Chairman Woolley closed the Public Hearing.

Brian Preece, City Commerce Director and Economic Development Director and Redevelopment Agency Manager for the City. He explained that the City has a Redevelopment Agency and part of the state law for redevelopment agencies is they require a 20% set-aside for affordable housing. Money that comes in to the redevelopment agency for projects such as this one, where there are actually two project areas that encumber this particular site with Harmons being one and the other one is Mr. Robbins building south of Towne Center Drive. They are required to put 20% of the tax increment that comes in into affordable housing. The money is tagged, and can only be used for those types of projects. We chose senior housing because we felt it would less impact on the community than a typical affordable housing project. The city nor the redevelopment agency has any desire to own the apartments. We are proposing to partner with somebody. The RDA money would be used to lower the cost of building the project so that it could be made available to seniors at lower rental rates. We have looked at this project on several different sites even back before the recession. Riverdale has a center similar to this and they have combined their senior center and senior living that their redevelopment agency owns and that is where we got the idea for it. Our Community Center has a senior center in it, the senior population is growing very rapidly in this community, and the services needed are outpacing what they can provide at the Community Center. If the seniors had their own Senior Center then our Community Center can be repurposed to people community wide rather than trying to share the building. We looked at putting parking underground and it is too costly. We had looked at selling the property but the potential buyers wanted to put apartment's there. He said we will work with the neighbors during the site plan process. The start date for this project would be out about three years. He said this project would not be built at the same time as the Public Safety building. They are looking as using this property as some staging to alleviate problems to the businesses.

Commissioner Morrissey asked Mr. Preece to explain the tax increment and what the 20% means and what if the 20% is not used what happens to it.

Mr. Preece said when we do a redevelopment project area you take a base year and look at what is on that property at that time and the value of it. The County Assessor's office establishes the base year. When you redevelop the property, the tax value goes up. The tax increment is the difference between the base value and the redeveloped property value. Tax increment is use for various things such as public infrastructure and incentives to bring businesses in. 20% of this tax increment is what is set-aside for affordable housing. If we do not use it in the community, it can be taken, and used on things like the Olene Walker Fund and Pamela Atkinson Fund. We have to show that we are working towards using it. Jake Warner does a lot of work with these types of Agencies. We do not want to involve Federal or State monies on these types of redevelopment projects. The reason it will take so long for this project is because it is city money and city property, we will have to put out an RFP to look for developers and an RFP for architects. It is just a long process to do these things. We are also hoping that construction costs will go down from where they are currently.

Commissioner Ellis asked what the significance is of changing the zoning on this property.

Mr. Preece said within these zones, the densities were brought down from what they had been. With the Planned Development Overlay Zone, that was a way to get the density needed. It gives the City Council more control with development agreements.

City Planner Schindler said the only place you could build housing that is multi-family now would be in Daybreak. Council approved the PD Overlay Zone because then it would have to go back through the City Council for approvals for specific projects that could have the multi-family housing.

Commissioner Jolley asked if there are any developers that have expressed interest in this.

Mr. Preece said yes; there are three or four. If we get the zone change, we want the developers to be involved with the designing of the building. That would come back to this body for the site plan approval.

Commissioner Holbrook asked Mr. Preece to explain how the ownership will work. He said would it be the RDA that owns some of the apartments.

Mr. Preece said not in the end. Once the project is finished, the developer will own all of the apartments. It will be two stages. The main level will be owned by the City – that is the Senior Center. The properties will be owned by a condominium association that the city would be part of for the Senior Center. The apartment owner would be for the apartments. There would be agreements just like in any other type of project.

Commissioner Holbrook said my concern is that 5-10 years down the road and someone bails on you then you are stuck with it.

Mr. Preece said that is a legitimate concern. We need to anticipate those kinds of things. There would be an association so that one side could not do something that would damage the other.

Commissioner Holbrook asked what type of seniors are you talking about.

Mr. Preece said Legacy is market Rate. The Gardens have federal tax credits involved. We are looking for something in between those. The law says we have to make this money available to people making 80% of the County median or less. This is not housing for the homeless.

Commissioner Holbrook asked what is the overall cost to the taxpayers on this.

Mr. Preece said we have looked at costs and the cost to the taxpayers will mostly be the Senior Center and the operations of it. The other cost to the taxpayers would be the tax increment.

Commissioner Holbrook said what is the projected approximate cost of building this senior center.

Mr. Preece said the entire thing with the basement parking came in at about 20 million dollars. That is too much. We cut off the underneath parking and that took off about 6 million dollars. That is why we want to bring in a partner to help design the building.

Commissioner Holbrook asked if we have a Master Plan for our downtown area yet.

City Planner Jake Warner said the closest we have to an area plan is the Redwood Road Study. It gets down to a sub-district level, but it does not get down to street configuration.

Commissioner Holbrook asked how does this fit into that Redwood Road plan that was only accepted, not adopted.

Planner Warner said it is consistent. I would have to look at types of uses from that plan that might be labeled for this specific area. The mixing of commercial with residential is something that is supported by that plan. I would have to do more research to get more specific than that.

Commissioner Holbrook said this will be four stories and nothing around there right now resembles that. That is one of my big concerns. The senior center is not a commercial aspect in my opinion. It seems to me that we have an overabundance of senior housing and senior facilities and eventually those are not going to be needed. I am concerned with how much real consideration has been given as to this location. I am concerned with the city being involved with this and knowing they would be the owner. This may not be bad but it is so premature.

Mr. Preece said we have been working on this for about eight years. We are seeing more demand for senior facilities, not less. We are not going to build it if it does not make sense.

Planner Warner said the Redwood Road Plan is labeled as the Core A sub-district, which is intended to be the most intensive sub-district in the Plan. The Plan does show this high intensity sub-district extending from just north of the Garden to south of the old Legacy complex. This area is intended to be the highest intensity area on the Redwood Road Corridor. The scale shows between 2-6 stories with an FAR of .4 and up and the density of greater of 18 units per acre for residential projects. The Core A areas will be a combination of different development types and individual buildings or clusters of similar buildings primarily anticipated to be commercial or mixed-use in nature. The building development types can support residential in a vertical mixed-use arrangement. Development may be smaller individual parcels or a larger master planned area typically established with a campus or village setting with common open space and plazas.

Commissioner Morrissey said I think all of the descriptions are met and the building is beautiful. The hard part I am having is when we talk about the Redwood Corridor; this is not what I envisioned. This just does not fit with the vision of what we want to see in the next 20 years as part of our historic district. I envisioned an historic district with a strong government building foundation with nice mixed use.

Commissioner Holbrook said it is my understanding that the Redwood Road Plan was only accepted as it was complete, not that it was adopted as part of the city; is that correct?

Planner Warner said that is correct. The terminology was that the City Council has accepted the Plan, which they felt was not quite as strong as "adopting."

Commissioner Holbrook said I was sitting there and they said they accepted the Study as complete, not that it would be implemented as part of the city plan. If our city is accepting these completed studies in a Council meeting that is great, but if they are going to automatically adopt them; that is a problem. They need to have a public hearing to adopt something like that. This does not seem to fit and I am not comfortable with this right now.

Chairman Woolley said the Council accepted and adopted the Study as a guiding document not as this is how it is going to be and we are going to work towards that end. That means it will be worked on and changed and modified as we go forward. That is very common for the city to do that. You are right there would have to be public hearings to take it to the next level.

Chairman Woolley talked about the change to the road and the fact that we have looked at this parking a couple of different times. I do not know that I understand how this parking is really working. I understand that we have some agreements between the County that are happening, but I am concerned with all the moving parts with multiple projects.

Chairman Woolley said as we get to the zoning change to a site plan, some of the questions asked, I will go through again. For instance, the lighting pollution. We have some very strict standards and they will be addressed in detail with the final site plan, not during the rezone. This is a unique rezone and there are a couple concerns I have with it. One is that the Senior Center is not a Senior Center. It is actually our Community Center and we are not able to use it as a Community Center because it is being used as a Community Center/Senior Center. The Council has been struggling with how to fix that. Parking is my main concern with this. We have gone through great lengths here in the city to change how we address parking. To have parking out on Redwood Road like that is a concern. I recognize that this is a legislative item so we are making a recommendation to the City Council as to the zoning. I would suggest to my fellow Commissioners that based on the work that staff has done at the direction of the Council, and the Council has through their powers as the RDA Board, are looking at this and they have adopted a development agreement to move it forward. If we do approve it tonight, it should be with specific and clear conditions and recommendations.

Chairman Woolley asked if the Public Hearing should be opened again for a few people that came in late. All Commissioners agreed to open it again.

Chairman Woolley asked if anyone in the audience that wanted to speak on this. There was none. The Public Hearing remained closed.

Commissioner Jolley said we have had lots of discussion. Our recommendations to City Council does not mean that it will move forward. I think there needs to be some modifications. I do like the Senior Center being closer to the City Center and it would be beneficial to the City. All of us will possibly be looking for a facility like this in the future. I would be in favor of approving this and giving them the opportunity to come up with something that works.

Commissioner Ellis said he was concerned with approving this. He said our experience with Daybreak and what they market is not always, what they deliver. By approving this zoning change are we giving a green light for whatever.

Chairman Woolley said we can certainly recommend denial tonight. It is still going to go to City Council and I would rather see it approved with very specific and targeted recommendations that we would request that they consider. There will be a Public Hearing and perhaps some of us should be there for it so those concerns are voiced.

Commissioner Holbrook said I respectfully disagreed with you on that. I believe we would be giving them a blank slate and the council can change their mind at any time. The Council will change over the next couple of years so we do not know what they will give us. Is this the best location when you are putting out this much of taxpayer dollars? The City Council will do what they are going to do. I think it is up to us as a Planning Commission to encourage them to do planning that helps everyone in the city. I am uncomfortable with this and I cannot support it.

Chairman Woolley said the Council is looking for input from us and a denial is not input, in my opinion.

Commissioner Morrissey said I am in the middle on this. I did not envision something with a large parking lot in front of it to capture our vision. I do love the building and I love what it does and how it serves the community. I am having a hard time deciding whether to vote yes and say with exception of the parking lot. Let's figure something out there so we can get some sort of building in front of it or use that frontage to the road as something that can be use. I understand that City Council is in control of this and that is my input.

Commissioner Holbrook asked how many parking spots are there on this.

Mr. Preece said they were calculated based on how many were needed for the Senior Center and how many for the apartments. It meets the ordinances.

Planner David Mann said the calculations are not easily seen on the overhead but there are 105 for the Senior Complex.

## **B.2 Potential Action Item – (See VII.B.1)**

**Commissioner Jolley made a motion to forward a recommendation to the City Council to approve Rezone Ordinance 2017-03-Z, rezoning the subject property from MU-COMM to MU-COMM-PD based on the Staff Report, and other information presented in Public Hearing and the Planning Commission discussion; also adding our concerns: 1) the large parking lot associated with the proposed building that is adjacent with Redwood Road and there may be some other uses looked at for that; 2) We would ask the City to consider if this is the ideal location for this facility; and 3) That the city, under no condition, have ownership or manage the apartments. Commissioner Morrissey seconded the motion. Vote was 3-2 in favor. Commissioner Holbrook and Commissioner Ellis voted against. Commissioner Quinn was absent.**

Chairman Woolley thanked the citizens for their comments and input. He said this will go to the City Council on July 18, 2017 and we invite you to be there.

Chairman Wooley recognized that there was a scout in the audience that did not get recognized.

<b>C.1 Issue:</b>	<b>TEXT AMENDMENT – AMENDING SUBSECTION 16.36.090 (MONUMENT SIGNS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE INCREASED MAXIMUM SIGN AREA FOR MONUMENT SIGNS</b>
<b>File No:</b>	PLZTA201700319
<b>Applicant:</b>	Allied Electric Sign & Awning

Planner David Mann reviewed the background information on this item from the Planning Staff Report. He said we do not have the applicant or the property owner here tonight. This was a proposal based on a specific property but we have to apply it citywide. This will have an impact the entire city. Tim and Debra Tilley, who are developing the Falcon Plaza project just across from the Public Works Building. They wanted to have a large sign for the entire development rather than have each individual property or lot have their own monument sign identifying a single business. Monument signs are only allowed in the Commercial Freeway Zone. They used to be allowed only by appeal but the appeals have been taken out of the City Council's authority and placed with a Hearing Officer. This was the only avenue to be able to pursue a larger multi-tenant sign. He said the main changes are in the C-N Zone was the only zone that had a smaller maximum sign area for monument signs. The proposed monument sign requirements will



help maintain the level of aesthetics found in South Jordan and protect the tax base by providing more visibility for businesses.

Commissioner Holbrook said the LED is distracting. One of the things I like about South Jordan is the sign ordinance. We want to help our businesses advertise. Keep in mind that other businesses that are already here have to adhere to existing sign ordinances. Would it be possible for preexisting businesses to change their signs to the new ordinance?

Planner Mann said yes, they would be able to apply for that. The prime intent for this is to reduce the amount of overall signage. Part of the requirements that are being proposed for the shared monument signs is that if you were featured on a shared monument sign, you would not be allowed to have your own monument sign.

City Planner Greg Schindler said the City Council has approved multiple sign appeals and there are not many places left to do it. We do not think this sign is too large and we think it will cut down on the number of signs. This will be a better feature than having multiple monument signs.

Commissioner Holbrook asked if this is only for the C-N Zone. City Planner Schindler said this is for all zones. Planner Mann said the property has to be at least two acres and at least four tenants.

Chairman Woolley opened the Public Hearing. No Comments. He closed the Public Hearing.

## **C.2 Potential Action Item – (See VII.C.1)**

**Commissioner Holbrook made a motion to recommend to the City Council that it approve Ordinance 2017-21. Commissioner Ellis seconded the motion. Roll Call Vote was 5-0 in favor. Commissioner Quinn was absent.**

**D.1 Issue: ZONE TEXT AMENDMENT – AMENDING PORTIONS OF SECTIONS 16.04.160, 17.04.270, 17.04.290, 17.08.010, 17.18.030, 17.74.080, 17.90.020, AND 17.130.030 OF THE SOUTH JORDAN CITY MUNICIPAL CODE**  
**File No:** PLZTA201700498  
**Applicant:** City of South Jordan

Planner Jake Warner reviewed the background information on this item from the Planning Staff Report. He reviewed the ‘Change Copy of Proposed Revisions by Topic’ that is part of the packet report.

- 17.04.270 Non-conforming uses & buildings – this is simply clarifying the section of our code that addresses non-conforming uses and buildings.
- 17.04.290 Loading and Deliveries – this issue came about when the Office of the City Attorney asked different departments to review misdemeanor penalties to their associated sections of the code. The penalty for violation of the hours of operation section was a class c misdemeanor, which could carry jail time. We felt this was not necessary so we are proposing that the penalty be eliminated which would reduce it to an infraction, which could carry with it a fee imposed by the judge. All of the hours of operation restrictions only apply if it is in an area that has no adverse effects, and would not apply at the discretion of the City Manager if it is determined that there is good cause for an exception.

- 17.08.010 Definition Correction – This corrects the title of the code to Planning and Zoning Code.
- 17.18.030.040(B)1 Utility Service – just giving reference to the other section of the code
- 17.18.030.050(B) 16 Vehicle Services – Council has requested that car washes be prohibited as a primary use in the city. You could have a car wash associated with a gas station, but you would not be allowed to have a standalone carwash.

Commissioner Ellis asked what motivates this change. City Planner Schindler said because the carwashes seem to be popping up on prime commercial corners in the city. They bring no sales tax to the city whatsoever. This would not affect Daybreak. Council feels we have too many carwashes.

Commissioner Holbrook said this feels like you are targeting a certain type of business. Is there some kind of uncomfortable feeling with that?

Assistant City Attorney Schaefermeyer said no. As with any zone, you choose which businesses you want in them. There are some businesses that are protected by freedom of speech but there is no conflict here. He said the existing carwashes in the city would become legal non-conforming, which is a consequence. He said as long as they continue operating as they were approved, it does not affect their business. If they wanted to make substantial changes to their business, then that would cause issue.

Commissioner Holbrook said that maybe they could be grandfathered in to be conforming.

City Planner Schindler said if they are doing a remodel this would not affect them. You cannot expand the non-conforming use. I believe that if they are destroyed by calamity or natural cause, it can be rebuilt as well.

Commissioner Holbrook said I would recommend that, if and when we make the motion for this, that we include the recommendation that those that are already here are grandfathered in.

Assistant City Attorney Schaefermeyer said we could come up with some language to do that. As soon as you get rid of the use we don't send out a letter saying that they are legal non-conforming, but if they tried to refinance and they looked into the zoning and called the city, the answer would be no.

- 17.40.020(F)(1) – A few years ago we revised the residential zones when we implemented them into the new uses chapter. At the time, we restricted the setbacks in our residential zones; as part of that restructuring, it had a negative impact on how we addressed the setback to a garage on a cul-de-sac. That was unintentional and we are fixing that here.
- 17.30.020(H) Screening – This is for utility screening and what you are trying to protect. We clarify that here as the ground level along the property line. We also clarify what is expected for materials for a non-residential trash receptacle enclosure.
- 17.62.020(J) Office Zone Landscaping – This is landscaping in the P-O Zone which currently the code requires 30% of the site plan to be landscaped open space and we have heard from applicants that is restrictive to office uses. We had some interest in some properties that did not work out and part of the concern amongst potential applicants and staff was this requirement. We are reducing that to 15% landscaped open space.

- 17.130.030.080 ALU Appeals – We previously discussed some changes over the last year to the appeals and hearing officer. One that was not addressed was appeals to accessory living units. Those by code still go to the City Council. We are moving these types of ALU appeals to the Hearing Officer.
- 17.08.101 Lot Line Adjustments – State law requires that we allow for lot line adjustments and our code does not provide a lot of direction with regards to these about how to process a lot line adjustment. This is an intent to clarify that and establish a process on how to process applications for what has been previously called lot line adjustments; we are now recommending that they be called property line adjustments. We also establish a process that the land use authority for a property line adjustment would be the Development Services Director. This follows state requirements for noticing and public meetings.
- 17.40.020(I)(2) Residential Roof Pitch - This item was requested by Council. Council has had discussions on roof pitches and has requested staff change the roof pitch requirement to be reduced from a 5:12 to a 3:12 roof pitch. Council was not in favor of flat roofs but they were in favor of reducing the roof pitch.

City Planner Schindler said we have a hard time telling people that are spending over a million dollars on their home that they cannot build it here because they do not have a 5:12 roof pitch.

Chairman Woolley said I can see what they are trying to accomplish but in reality, it does not make a lot of sense. If we hold the pitch to 3:12, it is still going to cause some problems. Maybe the language should be that it is based on design. I think with the 3:12, this would have some unintended consequences.

Commissioner Morrissey said if the code state that then there is no way to deny that. I agree with Chairman Woolley. My concern is that everything is going to go that way and there will be no way to regulate it.

Chairman Woolley said we call a contemporary roof a flat roof, but it is not. I am working on two projects in Park City and you would think they would not do it up there with the snow load, but they are. There are some issues, but it is not the load of the snow that is the issue. It is because of the parapet walls that causes some drainage issues.

City Planner Schindler said out in Daybreak they are allowed to have anything. There is no roof pitch requirement. I just do not think we can defend this if we tell someone no because we do not like your design. There is no way around the 5:12 now. They cannot appeal to cancel it would have to go to the hearing officer as a variance.

Chairman Woolley said what I am saying is that a 3:12 pitch is not a contemporary roof.

City Planner Schindler said we gave Council the option to have flat roof and they did not like it.

Commissioner Holbrook said I was there when they were discussing this.

Commissioner Ellis said the last time a roof was built at a 3:12 pitch was back in 1983. It is very dated and it is not contemporary.

Chairman Woolley said on this I think we should send some different wordage back to them because it just does not make sense. This is not a South Jordan issue; it is a standard around the world. Code requires a

quarter-inch per foot on what we all a flat roof; that is the minimum. This is 3 inches per foot and that is a huge difference. They could leave it at 5:12 and say with the exception of a structure that has a parapet wall so long as it meets ICC Code for a roof. That would solve this. If all they are trying to do is accommodate a contemporary style roof, they are not doing that with this.

Planner Warner said if we add your language, the prairie style would not be allowed.

Chairman Woolley said it would be because you do not build a parapet wall on a prairie style.

Chairman Woolley opened the Public Hearing. No comments. He closed the Public Hearing.

#### **D.2 Potential Action Item – (See VII.D.1)**

**Commissioner Holbrook made a motion to forward to the City Council a recommendation to approve Ordinance 2017-22; with the following additions: 1) With regards to carwashes, that we insert some legal language that grandfathers currently existing Carwashes so that no harm comes to them in that they don't become a legal non-conforming use; and 2) Add a line regarding Roof Pitch, that with a contemporary design and a parapet wall design, that the roof deck must meet the ICC Building Code. Commissioner Jolley seconded the motion. Roll Call Vote was 5-0 in favor. Commissioner Quinn was absent.**

#### **VIII. OTHER BUSINESS**

None

#### **ADJOURNMENT**

**Commissioner Holbrook motioned to adjourn. Commissioner Ellis seconded the motion. Motion was unanimous in favor.**

**The June 27, 2017 Planning Commission meeting adjourned at 9:00 p.m.**

Meeting minutes prepared by City Recorder Anna West.

**This is a true and correct copy of the June 27, 2017 Planning Commission minutes, which were approved on July 11, 2017.**

*Anna M. West*  
**South Jordan City Recorder**